



11/10/04

Attorney Docket No. 25910-721.201

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Riazat et al.

Group No.: 2874

Application No.: 10/663,358

Examiner: Unassigned

Filed: September 15, 2003

For: Active and Passive To-Can Extension Boards

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT, PETITION AND FEE TO DELETE AND/OR ADD TO ORIGINAL
ERRONEOUSLY NAMED OR NOT NAMED INVENTOR(S) IN DECLARATION –
NONPROVISIONAL APPLICATION – (37 C.F.R. §1.48(a))**

NOTE: "If the inventive entity is set forth in error in an executed § 1.63 oath or declaration in an application, other than a reissue application, and such error arose without any deceptive intention on the part of the person named as an inventor in error or on the part of the person who through error was not named as an inventor, the application may be amended to name only the actual inventor or inventors." 37 C.F.R. §1.48(a).

NOTE: 37 C.F.R. §1.48(f) states: "If the correct inventor or inventors are not named on filing a nonprovisional application under §1.53(g) without an executed oath or declaration under §1.63 during the pendency of the application will act to correct the earlier identification of inventorship."

"(2) If the correct inventor or inventors are not named on filing a provisional application without a cover sheet under §1.51(c)(1), the later submission of a cover sheet under §1.51(c)(1) during the pendency of the application will act to correct the earlier identification of inventorship."

1. This amendment and petition is to correct the incorrect original naming of the inventor(s) in the declaration under 37 C.F.R. §1.48(a) as set forth and filed on
2. Addition and/or Deletion of Inventor(s)

(check and complete all applicable items)

☒ Add the following previously unnamed person(s) as inventor(s) of this application:
Bruce T. QUINN, San Mateo, CA, USA
Yi-Ching PAO, Los Gatos, CA, USA

☐ Delete the following previously incorrectly named inventor(s):

3. Attachments
Attached is

(a) A statement from:

(check items below that apply)

☒ each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. §1.48(a)(1).

☐ each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. §1.48(a)(2).

(b) a declaration by each of the actual inventor(s) as required by 37 C.F.R. §1.63 (or as permitted by §§1.42, 1.43, OR 1.47). 37 C.F.R. §1.48(a)(2).

(c) written assent of the assignee (if any of the original inventors executed an assignment). 37 C.F.R. §1.48(a)(4).

(d)

(check the following item, if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed)

☐ Attached is an explanation of the facts, including the ownership of all the claim(s) being claimed in this application, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

4. Fee Payment (37 C.F.R. §1.17(i))

The fee required is paid as follows:

☐ Enclosed is a check for \$130.00.

☐ Charge Account 23-2415 for any fee deficiency.

☒ Charge Account 23-2415 the sum of \$130.00.

Respectfully submitted,



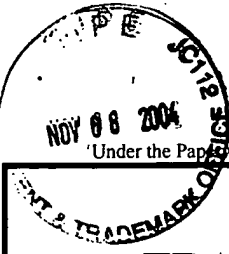
U. P. Peter Eng, Reg. No. 39,666

Date:

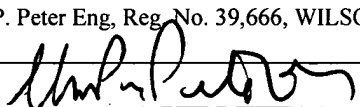
11/8/04

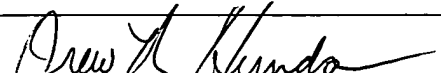
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304
(650) 493-9300
Customer No. 21971

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 <h2 style="text-align: center;">TRANSMITTAL FORM</h2> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	10/663,358
		Filing Date	September 15, 2003
		First Named Inventor	Majid Riazat
		Art Unit	2874
		Examiner Name	Unknown
Total Number of Pages in This Submission	10	Attorney Docket Number	25910-721.201

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	See Remarks below
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Enclosed are: Petition to Correct Inventorship under 37 CFR 1.48(a); Declaration by all inventors; Assent of Assignee to Correction; Statement of inventor Yi-Ching PAO; Statement of inventor Bruce T. QUINN; Petition fee of \$130.00	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual name	U. P. Peter Eng, Reg. No. 39,666, WILSON SONSINI GOODRICH & ROSATI
Signature	
Date	11/8/04

CERTIFICATE OF EXPRESS MAILING (37 CFR 1.10)			
I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail Post Office to Addressee service in accordance with the provisions of 37 CFR 1.10, Express Mail Label No. <u>EV 333 491 570 US</u> , with sufficient postage as Express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Drew R. Herndon		
Signature		Date	Nov. 8, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Riazat
~~Smith~~ et al.

Application No.: 10/663,358

Filed: September 15, 2003

For: Active and Passive To-Can Extension Boards

Group No.: 2874

Examiner: Unassigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ASSENT OF ASSIGNEE TO CORRECTION
AND/OR ADDITION OF INVENTOR(S)

OEpic, Inc.

(type or print name of assignee)

1231 Bordeaux Drive, Sunnyvale, California 94089, U.S.A.

Address

OEpic, Inc., assignee of the entire right, title and interest in the above-identified patent application by virtue of Assignment identified below and an Assignment executed by Bruce T. QUINN and Yi-Ching PAO, hereby consents to correct the inventorship of the above-identified patent application to include Bruce T. QUINN and Yi-Ching PAO as an inventor.

Assignment

☒ Recorded on February 11, 2004
Reel 014975
Frame 0627

☒ Recorded herewith
☒ A separate "ASSIGNMENT" (DOCUMENT) is attached.

or

☐ FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed

☒ herewith
☐ on

Dated: 10/11/04

By: M. Z. Riazat

Name: Majid Leonard RIAZIAT

Title: CTO, VP Optoelectronics

ASSIGNMENT OF APPLICATION

Docket Number 25910-721.201

Whereas, the undersigned:

1. QUINN, Bruce T.
San Mateo, CA, U.S.A.
2. PAO, Yi-Ching
Los Gatos, CA, U.S.A.

hereinafter termed "Inventors", have invented certain new and useful improvements in

ACTIVE AND PASSIVE TO-CAN EXTENSION BOARDS

- ☒ for which an application for United States Patent was filed on September 15, 2003, Application No. 10/663,358.
- ☐ for which a United States Patent issued on ___, U.S. Patent No. ___.

WHEREAS, OEpic, Inc., having a place of business at 1231 Bordeaux Drive, Sunnyvale, California 94089, U.S.A., (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey unto said Assignee the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a divisional, substitution, continuation, or continuation-in-part of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation reissues and reexaminations, opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

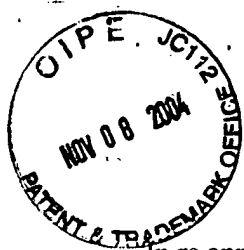
4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, said Inventors have executed and delivered this instrument to said Assignee as of the dates written below:

Date: 10/11/04

 Bruce T. QUINN
Date: 10/11/04'

 Yi-Ching PAO



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Riazia
Smith et al.

Group No.: 2874

Application No.: 10/663,358

Examiner: Unassigned

Filed: September 15, 2003

For: Active and Passive To-Can Extension Boards

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF INVENTOR

I, Yi-Ching PAO, declare that the following is true and correct:

1. I have worked at OEpic, Inc. since July 14, 2000. At the time that the invention described and claimed in patent application Serial No. 10/663,358 was made I held the position of CEO. I presently hold the position of CEO.

2. Upon my review of the specification and claims presently pending in the above-referenced patent application, it is my belief that I am an inventor of the invention claimed in the application.

3. The error in inventorship occurred due to a simple error of omission.

4. I believe that the omission of my name as an inventor in the above-referenced patent application was inadvertent and was not done with any deceptive intent.

5. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing therefrom.

Executed this 11th day of October, 2004.

Signature: Yi-Ching PAO

Typed Name: Yi-Ching PAO



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Riazat Smith et al.

Group No.: 2874

Application No.: 10/663,358

Examiner: Unassigned

Filed: September 15, 2003

For: Active and Passive To-Can Extension Boards

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF INVENTOR

I, Bruce T. QUINN, declare that the following is true and correct:

1. I have worked at OEpic, Inc. since April 1, 2002. At the time that the invention described and claimed in patent application Serial No. 10/663,358 was made I held the position of Director of Sales. I presently hold the position of Director of Sales.

2. Upon my review of the specification and claims presently pending in the above-referenced patent application, it is my belief that I am an inventor of the invention claimed in the application.

3. The error in inventorship occurred due to a simple error of omission.

4. I believe that the omission of my name as an inventor in the above-referenced patent application was inadvertent and was not done with any deceptive intent.

5. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing therefrom.

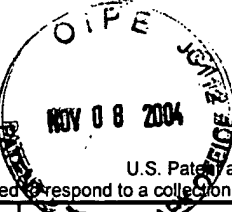
Executed this 11th day of October, 2004
BTO

Signature: BTO

Typed Name: Bruce T. QUINN

Please type a plus sign (+) inside this box

+



PTO/SB/01 (08-03)

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**



Declaration
Submitted
With Initial
Filing

OR



Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16(e)
required)

Attorney Docket Number

25910-721.201

First Named Inventor

Riazat et al.

COMPLETE IF KNOWN

Application Number

10/663,358

Filing Date

September 15, 2003

Art Unit

2874

Examiner Name

Unassigned

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ACTIVE AND PASSIVE TO-CAN EXTENSION BOARDS

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on September 15, 2003, as United States Application Number or PCT International

Application Number 10/663,358 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number		021971	OR <input type="checkbox"/> Correspondence address below	
Name				
Address Wilson Sonsini Goodrich & Rosati				
Address 650 Page Mill Road				
City Palo Alto		State CA	ZIP 94304	
Country U.S.	Telephone 650-493-9300		Fax 650-493-6811	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>				
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle (if any)) Majid Leonard		Family Name or Surname Riazati		
Inventor's Signature 		Date 6/25/04		
Residence: City 1210 Woodflower Way, San Jose	State California	Country US	Citizenship US	
Mailing Address Same as above				
City	State	ZIP	Country	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle (if any)) Mark		Family Name or Surname Adams		
Inventor's Signature 		Date 6-28-04		
Residence: City 405 Stierlin Road, #32, Mountain View	State California	Country US	Citizenship US	
Mailing Address Same as above				
City	State	ZIP	Country	
<input checked="" type="checkbox"/> Additional inventors or legal representative are being named on the <u>1</u> supplemental sheet(s) PTO/SB/02A or 02LR attached hereto:				

Please Type a plus sign (+) inside this box → +


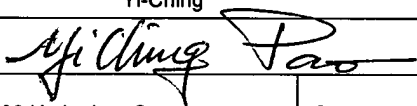
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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet
Page <u>3</u> of <u>3</u>	

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Bruce T.		Quinn	
Inventor's Signature 		Date 6/28/04	
Residence: 1928 Parrott Drive, San Mateo	State California	Country US	Citizenship US
Mailing Address Same as above			
Mailing Address Same as above			
City	State	ZIP	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Yi-Ching		Pao	
Inventor's Signature 		Date 6/28/04	
Residence: 1586 Hyde, Los Gatos	State California	Country US	Citizenship
Mailing Address Same as above			
Mailing Address Same as above			
City	State	ZIP	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	ZIP	Country

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